



UNITED STATES DEPARTMENT OF JUSTICE

WASHINGTON, D.C. 20530

Address Reply to the
Division Indicated
and Refer to Initials and Number

JUN 6 1975

Honorable Lawrence Houston
General Counsel
Central Intelligence Agency
Washington, D. C. 20505

Dear Mr. Houston:

Forwarded herewith is the original of a subpoena duces tecum directed to Angus Thuermer, Assistant to the Director of Central Intelligence, in the case of United States v. Russo, et al. Also enclosed is a certified check in the amount of \$493.20.

I accepted service today on behalf of Mr. Thuermer after conferring with John Warner of your office and it was agreed this was the preferable way of permitting them to make service on a representative of CIA.

We would appreciate your early advice as to what, if any, action you desire be taken by this Department in connection with the demands made by the subpoena.

Sincerely,

A handwritten signature in cursive script, reading "K. Maroney".

KEVIN T. MARONEY

Deputy Assistant Attorney General
Internal Security Division

Attachments

To Angus Thuermer
Assistant to the Director of Central Intelligence
Central Intelligence Agency
Washington, D.C. 20505
Approved For Release 2004/05/12 : CIA-RDP80R01720R000200160029-8

You are hereby commanded to appear in the United States District Court for the Central
District of California at 312 North Spring Street in the city of
Los Angeles on the 13th day of June 19 72 at 9:30 o'clock A. M.
Anthony Joseph Russo, Jr.
to testify in the case of United States v. Daniel Ellsberg and bring with you

SEE ATTACHED SCHEDULE A

This subpoena is issued upon application of the¹ defendants

June 1, 19 72.

ARTHUR I. BERMAN
Attorney for Daniel Ellsberg
8920 Wilshire Boulevard 7th Floor
Address Beverly Hills, Calif. 90211

EMORY G. HATCHER
Clerk.
By *Robert J. Jellison*
Deputy Clerk.

¹ Insert "United States," or "defendant" as the case may be.

RETURN

Received this subpoena at _____ on _____
and on _____ at _____
served it on the within named _____
by delivering a copy to _____ and tendering to _____ the fee for one day's attendance and the mile-
age allowed by law.²

Dated: _____

_____, 19 _____

By _____

Service Fees

Travel _____\$

Services _____

Total _____\$

² Fees and mileage need not be tendered to the witness upon service of a subpoena issued in behalf of the United States or an officer or agency thereof, 28 USC 1825, or on behalf of a defendant who is financially unable to pay such costs (Rule 17(b), Federal Rules Criminal Procedure).

Subpoena to Produce Document or Object

Cr. Form No. 21 (Rev. 5-68)

United States District Court

FOR THE

CENTRAL DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA

No. 9373-(WMB)-CD

v.

ANTHONY JOSEPH RUSSO, JR.,
DANIEL ELLSBERG

To Angus Thuermer
Assistant to the Director of Central Intelligence
Central Intelligence Agency
Washington, D.C. 20505
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* Insert "United States," or "defendant" as the case may be.

EMORY G. WATCHER
Clerk.
By *Robert M. J. [Signature]*
Deputy Clerk.

RETURN

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and on _____ at _____
served it on the within named _____
by delivering a copy to _____ and tendering to _____ the fee for one day's attendance and the mile-
age allowed by law.²

Dated: _____

SCHEDULE A

I. The following Central Intelligence Agency records and documentary materials:

1. CIA Memoranda and reports, including, but not limited to, CIA Daily Intelligence Reports, written in or about April of 1970, which memoranda and reports stated that Soviet airmen were flying missions in the United Arab Republic;
2. CIA Memoranda and reports, including, but not limited to, CIA Daily Intelligence Reports, written in or about the period from April 25, 1965, to May 5, 1965, on the subject of the Dominican Revolt;
- ✓ 3. CIA Memoranda and reports, including, but not limited to, CIA Daily Intelligence Reports, written in or about May of 1965, on the subject of construction of Soviet antiaircraft missile sites in and around Hanoi, North Vietnam;
4. CIA Report listing fifty-one (51) "Communist and Castroist" leaders of the Dominican Revolt, written in or about the period from April 25, 1965, to May 5, 1965;
5. CIA Report on Sino-Soviet Military Aid, written on or about August of 1967;
6. CIA National Intelligence Estimate on Sino-Soviet Military Aid, written on or about August of 1967;
7. CIA Memorandum to the White House, the Secretary of State and the Secretary of Defense, written in or about the period from March 1, 1968, to March 15, 1968, which memorandum assessed enemy strength in South Vietnam;
8. CIA Memorandum written in or about September or October of 1970, which memorandum assessed the infiltration of the Viet Cong into the government of South Vietnam;
9. CIA Cable sent from Saigon to Washington on or about August 3, 1967, which cable reported on the actions of the South Vietnamese generals with respect to the upcoming South Vietnamese elections;
10. CIA Memorandum written on or about August 5, 1967, in Washington, D.C., on the subject of the actions of the South Vietnamese generals with respect to the upcoming South Vietnamese elections;
11. CIA Cable sent by Ambassador Ellsworth Bunker to the Secretary of State on or about August 12, 1967, on the subject of the actions of the South Vietnamese generals with respect to the upcoming South Vietnamese elections;

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12. CIA Cable sent by Ambassador Ellsworth Bunker to the Secretary of State on or about August 13, 1967, on the subject of the actions of the South Vietnamese generals with respect to the upcoming South Vietnamese elections;
13. CIA Cable sent by Ambassador Lodge to the Secretary of State on or about October 5, 1963 (Saigon CAS 1445);
14. CIA Cable sent by Ambassador Lodge to the Secretary of State on or about October 5, 1963 (Saigon CAS 34026);

II. If any of the documents and records listed in item I of this Schedule A have ever been classified and are not now classified, all records setting forth the declassification dates of such documents and records.